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November 21, 2023

By ECF

The Honorable Philip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, N.Y. 10601

Re: *Oliveira v. Cacace*, SDNY No. 23 Civ. 7427 (PMH)

Dear Judge Halpern:

This Office represents Westchester County Court Judge Susan Cacace in the above-referenced action. We write with the consent of Plaintiff's attorney to request an adjournment of the conference regarding Judge Cacace's anticipated motion to dismiss, currently scheduled to be held by telephone at 2:30 p.m. on December 12, 2023. *See* Order, Nov. 17, 2023 (ECF No. 12).

An adjournment is necessary because I was previously committed to an all-day deposition in another action on that date prior to receiving the Court's Order, and it cannot be rescheduled for another date in December. In an exchange of emails today, Plaintiff's attorney, Amy L. Bellantoni, Esq., consented to the adjournment and advised that she is available on December 14 or the afternoon of December 19, 2023. In the alternative, all counsel are available at the Court's convenience in January 2024, with the exceptions of January 8, 10, 17, 29, 30, and 31.

There has been no previous request to adjourn the pre-motion conference. The proposed

adjournment will not affect any other dates or deadlines in this action.

We appreciate the Court's continued attention to this matter.

Respectfully,

Michael A. Berg

Michael A. Berg
Assistant Attorney General

cc: Amy L. Bellantoni, Esq.